

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Street Abandonment 07-002 (34th Street, Jeffrey)
DATE: September 4, 2007

Needs: For the City Council to hold a public hearing to consider adopting a Resolution to abandon a portion of 34th Street, an 80-foot wide street, as shown on the attached Exhibit "A".

- Facts:**
1. The portion of 34th Street being considered for abandonment is 10 feet wide and lies between Spring and Park Streets.
 2. The abandonment request was submitted by Rick Jeffrey, adjacent property owner. The purpose of the request is to expand his residential uses.
 3. The Planning Commission at their meeting of July 10, 2007 found the abandonment request in conformance with the City's General Plan and recommended Council approval.
 4. The City Council, at their meeting on August 7, 2007, adopted "Resolution of Intent to Abandon" No. 07-162 which set a public hearing to abandon this right-of-way.
 5. Pursuant to Streets and Highways Code §8323, Notice of this Hearing was duly published in the Telegram Tribune, a newspaper published and circulated within the City of El Paso de Robles.
 6. Pursuant to Streets and Highways Code §8323, two (2) weeks before the date set for this hearing, Notice of Vacation was posted along the line of 34th Street.

**Analysis
and**

Conclusion As discussed in the August 7, 2007 staff report (attached), the request is consistent with the Streets and Highway Code and the City's General Plan. Improvements to 34th Street associated with the Jeffrey property development will line up consistently with 34th Street to the east.

Policy

Reference: Streets and Highways Code and the City's General Plan

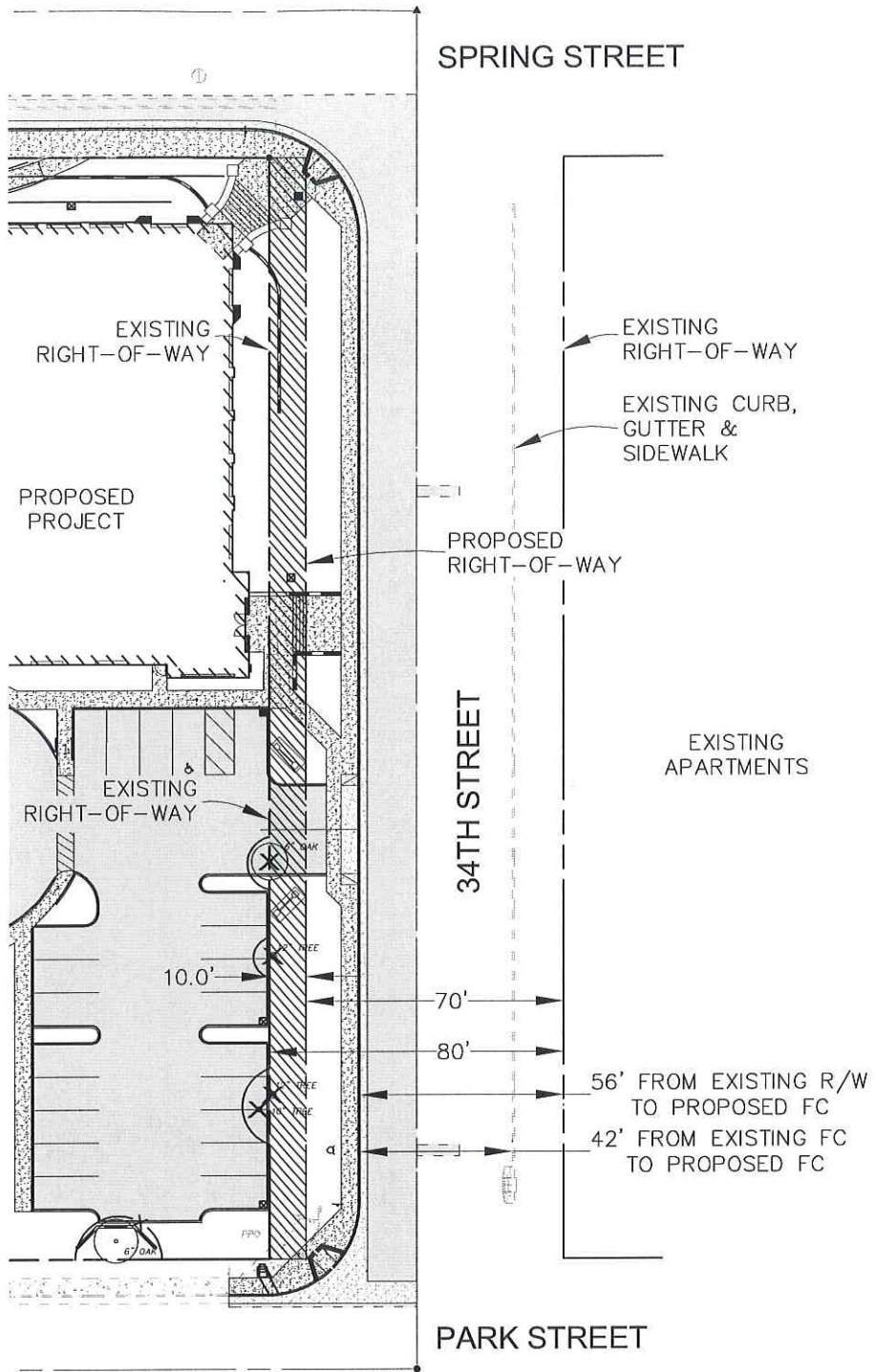
Fiscal

Impact: None

- Options:**
- a. Adopt Resolution No. 07-xx to abandon a 10-foot wide portion of 34th Street from Spring Street to Park Street as shown on Exhibit “A” and as requested by the adjacent property owner.
 - b. Amend, modify or reject the above option.

Attachments: (2)

1. Exhibit “A”
2. Resolution
3. Council’s August 7, 2007 Report



10' ABANDONMENT

SCALE - 1" = 50'



NCE NORTH COAST ENGINEERING INC.
 725 Creston Rd Suite B, Paso Robles, 239-3127

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Notice of Intention to Abandon a Portion of 34th Street
SA 07-002 (Jeffrey)
DATE: August 7, 2007

Needs: For the City Council to consider adopting a resolution providing “Notice of Intention” to abandon an unimproved 10-foot wide portion of 34th Street right-of-way between Spring Street and Park Street as shown on the attached exhibit “A”.

- Facts:**
1. The abandonment request was submitted by Rick Jeffrey. The purpose of the request is to reduce paved surfaces and augment the mixed use of the property adjacent to the abandoned area.
 2. The Planning Commission at their meeting of July 10, 2007, in a unanimous decision, found the abandonment consistent with the General Plan and recommended approval.
 3. The 34th Street pavement continues uninterrupted by curbs into the site of the former Ford dealership. With abandonment and subsequent improvement of the adjacent mixed-use development, the width of the paving will align with 34th Street east of Park Street.
 4. The subject portion of 34th Street right-of-way is not needed to accommodate standard curb and sidewalk improvements.

**Analysis
&**

Conclusion Abandonment of the southerly 10-feet of 34th Street right-of-way between Spring and Park would align the southerly east/west line of 34th Street consistent with 34th Street right-of-way to the east. The remaining right-of-way is ample to accommodate curb, gutter and sidewalk with the redevelopment of the adjacent property. The project will result in considerably less paved surfaces than exist today. The Planning Commission recommended approval of the proposed street abandonment on a unanimous vote.

Policy

Reference: Streets and Highway Code.

Fiscal

Impact: None.

- Options:**
- a. Adopt Resolution of Intent No. 07-xx to abandon a portion of 34th Street right-of-way from Spring Street to Park Street as shown on Exhibit “A” and setting September 4, 2007, in the Paso Robles City Hall, 1000 Spring Street, for public hearing for all persons interested or having objection to the proposed closing.
 - b. Amend, modify or reject the above option.

Attachments: (3)

1. Letter From Applicant
2. Resolution of Intent
3. Exhibit “A”

RESOLUTION NO. 07-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
VACATING A 10-FOOT WIDE PORTION OF 34TH STREET FROM SPRING STREET
TO PARK STREET (JEFFREY)

WHEREAS, the Planning Commission at their meeting of July 10, 2007, recommended approval of the abandonment request; and

WHEREAS, the City Council of the City of Paso Robles, at their meeting of August 7, 2007, adopted a Resolution of Intention to close and vacate a 10-foot wide portion of 34th Street from Spring Street to Park Street in the City of Paso Robles, County of San Luis Obispo, State of California, and more particularly described as follows:

SEE ATTACHMENT EXHIBIT "A"

WHEREAS, based on the Staff Report, Staff presentation and having heard all evidence offered by any person interested in the proposed vacation, the City Council of the City of El Paso de Robles finds:

- A. That pursuant to Streets and Highways Code §8322 a Notice of this Hearing has been appropriately published in a newspaper of general circulation within the City of El Paso de Robles; and
- B. That pursuant to Streets and Highways Code §8323 a Notice of Vacation has been appropriately posted along the line of the street to be vacated; and
- C. That a 10-foot wide portion of 34th Street right-of-way from Spring Street to Park Street as described in this Resolution, is unnecessary for present or prospective public use.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE CITY COUNCIL OF EL PASO de ROBLES AS FOLLOWS:

- 1. A 10-foot side portion of 34th Street, from Spring Street to Park Street, as herein before described be vacated for public purposes as shown on Exhibit "A".
- 2. That the City Clerk of the City of El Paso de Robles is authorized to cause a certified copy of this Resolution to be recorded in the office of the County Clerk Recorder, County of San Luis Obispo, State of California.
- 3. The above Recitals are incorporated into this Order.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 4th day of September 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk